PATENT
81844.0049

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NISHIDE, et al.

Serial No: 10/563,488

Filed: January 3, 2006

For: Stent To Be Placed In Vivo

Art Unit: Not Assigned

Examiner: Not Assigned

**TRANSMITTAL OF
INFORMATION DISCLOSURE STATEMENT**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450I hereby certify that this correspondence
is being deposited with the United States
Postal Service with sufficient postage as
first class mail in an envelope addressed
to:Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on

March 7, 2006

Date of Deposit

Shindae Ferguson

Name

March 7, 2006

Signature

Date

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

PATENT
81844.0049**OR FEE**

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. **A copy of this petition is enclosed.**
5. ☒ A list of 14 reference(s) is in the enclosed Form PTO-1449.

PATENT
81844.0049


NON-ENGLISH LANGUAGE REFERENCES

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☒ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: March 7, 2006

Biltmore Tower
500 South Grand Avenue, Suite 1900
Los Angeles, CA 90071
Telephone: (213) 337-6700
Facsimile: (213) 337-6701

By 

Dariush G. Adli
Registration No. 51,386
Attorney for Applicant(s)

FORM PTO-1449

Docket Number (Optional)
81844.0049Application Number
10/563,488**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

Applicant

NISHIDE, et al.

Filing Date

January 3, 2006

Group Art Unit

Not Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,591,222 (corresponds to JP3-21262)	01/07/97	SUSAWA, et al.			
	6,045,568 (corresponds to JP5-103830)	04/04/00	IGAKI, et al.			
	4,894,366 (corresponds to JP61-148181)	01/16/90	OKUHARA, et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	03-021262	01/30/91	JAPAN			Abstract	
	05-103830	04/27/93	JAPAN			Abstract	
	09-308693	12/02/97	JAPAN			Abstract	
	0 551 182 (corresponds to JP6-009390)	07/14/93	EP			Abstract	
	06-009390	01/18/94	JAPAN			Abstract	
	02/065947	08/29/02	WO			Abstract	
	1 254 674	11/06/02	EP			Abstract	
	91/17789 (corresponds to JP5-509008)	11/28/91	WO			Abstract	
	95/03036 (corresponds to 9-503488)	02/02/95	WO			Abstract	
	91/12779 (corresponds to 5-502179)	09/05/91	WO			Abstract	
	61-148181	07/05/86	JAPAN			Abstract	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER /Cheryl Miller/

DATE CONSIDERED

06/06/2008

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.